

Sec. 6-159. Appeals.

Whenever the chief of a respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida, disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the chief of said fire department to the fire prevention code board of appeals within thirty (30) days from the date of the decision.

(Ord. No. 2007-19, § 9, 9-11-07)

Sec. 6-160. Fire prevention code board of appeals.

(a) *[Established.]* In accordance with the Florida Fire Prevention Code and NFPA 1, a board of appeals shall be established consisting of members and alternate members who shall be appointed by the Sumter County Board of County Commissioners by reason of education, experience, and knowledge and are deemed to be competent to sit in judgment on matters concerning this code and its enforcement.

(1) No more than one (1) of said members or their alternates shall be engaged in the same business, profession, or line of endeavor.

(2) The members shall serve for a term of three (3) years, except for the initial appointees who shall serve as follows: two (2) for a term of one (1) year, two (2) for a term of two (2) years, and three (3) for a term of three (3) years.

(3) All members and any alternate members shall be appointed and shall serve in accordance with the terms and conditions of the Sumter BOCC.

(b) *Rules of board of appeals.* The board shall establish rules and regulations for conducting its business and shall render all decisions and findings in writing to the fire chief, Sumter County Fire Rescue; the fire chief, the Villages Department of Public Safety; the county administrator; and the Sumter County Building Official with a copy to the appellant.

(c) *Conflicts of interest.* Board members shall not be officers, agents, or employees of Sumter County, the Villages Center Community Development District, any community development district operating in Sumter County, or of any respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida. No member of the board of appeals shall sit in judgment on any case in which the member, personally, is directly interested.

(d) *Duties of board of appeals.* The board of appeals shall provide for reasonable interpretation of the provisions of this article and rule on appeals from decisions of the fire chief, Sumter County Fire Rescue or fire chief, the Villages Department of Public Safety. The ruling of the appeals board shall ensure that the intent of the article is complied with and public safety is secured.

(e) *Meetings of board of appeals.* The board of appeals shall meet whenever directed by the Sumter BOCC to interpret the provisions of this article and to consider and rule on any properly filed appeal from a decision of the fire chief, of a respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida, giving at least five (5) days' notice of hearing, but in no case shall it fail to meet on an appeal within thirty (30) calendar days of the filing of notice of appeal. All of the meetings of the board shall be open to the public.

(f) *Quorum.* Two-thirds (2/3), but not less than four (4) members, of the board of appeals shall constitute a quorum. In varying the application of any provision of this

article, or in modifying an order of a fire chief of a respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida, a majority vote shall be required.

(g) *Meetings and records.* Meetings of the board of appeals shall be held at the call of the chair and at such other times as the board determines.

(1) All hearings before the Board of Appeals shall be open to the public.

(2) The board of appeals shall keep minutes of its proceedings showing the vote of each member on every question, or if the member is absent or fails to vote, indicating such actions.

(3) The board of appeals shall also keep records of its examinations and other official actions.

(4) Minutes and records of the board of appeals shall be public record.

(h) *Procedures.* The board of appeals shall establish rules and regulations for its own procedures consistent with the provisions of this article.

(i) *Means of appeals.*

(1) Any person shall be permitted to appeal a decision of the fire chief to the board of appeals when it is claimed that any one (1) or more of the following conditions exist:

a. The true intent of the codes or ordinances described in this article has been incorrectly interpreted.

b. The provisions of the codes or ordinances do not fully apply.

c. A decision is unreasonable or arbitrary as it applies to alternatives or new materials.

(2) An appeal shall be submitted to the fire chief of a respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida, in writing within thirty (30) calendar days of notification of violation outlining the code provision from which relief is sought and the remedy proposed.

(3) All documentation supporting an appeal shall be submitted to the fire chief of a respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida, who will forward the appeal to the fire prevention code board of appeals.

(Ord. No. 2007-19, § 10, 9-11-07)

Sec. 6-161. Penalties.

Any person who violates any of the provisions of the Sumter County Fire Prevention Code hereby adopted or fails to comply therewith or who violates or fails to comply with any order made thereunder or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder and from which no appeal has been taken or who fails to comply with such an order as affirmed or modified by the fire chief of a respective fire department authorized by the Sumter County Board of County Commissioners to operate within Sumter County, Florida, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be subject to a civil penalty as set forth in the schedule of fines for Code violations, in section 6-168 of this Code of Ordinances. Each day that a Code infraction occurs and/or is permitted to exist constitutes a separate offense. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of a penalty shall not be held to prevent the enforced removal of prohibited conditions.

(Ord. No. 2007-19, § 11, 9-11-07)

days of the disclosure being made and must be provided to the other members of the agency with the disclosure being read publicly at the next scheduled meeting. [Sec. 112.3143, Fla. Stat.]

F. DISCLOSURES

Conflicts of interest may occur when public officials are in a position to make decisions which affect their personal financial interests. This is why public officers and employees, as well as candidates who run for public office, are required to publicly disclose their financial interests. The disclosure process serves to remind officials of their obligation to put the public interest above personal considerations. It also helps citizens to monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration.

All public officials and candidates do not file the same degree of disclosure; nor do they all file at the same time or place. Thus, care must be taken to determine which disclosure forms a particular official or candidate is required to file.

The following forms are described below to set forth the requirements of the various disclosures and the steps for correctly providing the information in a timely manner.

1. FORM 1 - Limited Financial Disclosure

Who Must File:

Persons required to file FORM 1 include all State officers, local officers, candidates for local elective office, and specified State employees as defined below (other than those officers who are required by law to file FORM 6).

STATE OFFICERS include:

- (1) Elected public officials not serving in a political subdivision of the State and any person appointed to fill a vacancy in such office, unless required to file full disclosure on Form 6;
- (2) Appointed members of each board, commission, authority, or council having statewide jurisdiction, excluding members of solely advisory bodies, but including members of the Commission on Tourism, judicial nominating commissions, and Council on the Social Status of Black Men and Boys, and directors of the Black Business Investment Board, Enterprise Florida, Scripps Florida Funding Corp., Substance Abuse and Mental Health Corp., Citizens Property Insurance Corp., Space Florida, and Workforce Florida;
- (3) The Commissioner of Education, members of the State Board of Education, the Board of Governors, and the local Boards of Trustees and Presidents of State universities; and
- (4) All elected public officers (excluding congressional) not covered under "local officers" and any person appointed to fill a vacancy in such elective office.

LOCAL OFFICER includes:

- (1) Any person elected to office in any political subdivision and any person appointed to fill a vacancy for an unexpired term in such elective office;
- (2) An appointed member of certain boards of political subdivisions, including governing bodies, expressway and transportation authorities, community colleges, code enforcement boards, bodies with planning or zoning powers, and pension boards;
- (3) Any other appointed local government board member who has been required to file by the appointing authority;

(4) A mayor and the chief administrative officer of a county, municipality, or other political subdivision;

(5) Any person holding one or more of the following positions within a county or municipality: city or county attorney; chief building inspector; water resources coordinator; pollution control director; environmental control director; administrator with power to grant or deny a land development permit;

(6) A chief of police; fire chief; municipal clerk; district school superintendent; community college president; medical examiner; and a purchasing agent having the authority to make any purchase exceeding \$15,000 for any political subdivision of the state or any entity thereof.

SPECIFIED STATE EMPLOYEE includes:

(1) The Public Counsel created by Chapter 350; an assistant state attorney, an assistant public defender, a full-time state employee who serves as counsel or assistant counsel to any state agency; an administrative law judge; and a hearing officer;

(2) Any person employed in the offices of the Governor or member of the Cabinet who is exempt from the career service system, except those persons in clerical, secretarial, or similar positions;

(3) Each appointed secretary, assistant secretary, deputy secretary, executive director, assistant executive director, or deputy executive director of each state department, commission, board, or council; and the division director, assistant division director, deputy director, bureau chief, or assistant bureau chief of any state department or division, or persons having the power normally conferred upon such person by whatever title;

(4) A superintendent or institute director of a state mental health institute established for training and research in the mental health field or of any major state institution or facility for corrections, training, treatment, or rehabilitation;

(5) A business manager, purchasing agent having the power to make any purchase exceeding \$15,000; finance and accounting director, personnel officer, and grants coordinator for any state agency;

(6) Any person employed in the legislative branch of government, except persons employed in maintenance, clerical, secretarial, or similar positions and legislative assistants exempted by the presiding officer of their house;

(7) Each employee of the Ethics Commission; and

(8) Senior managers of the Citizens Property Insurance Corp.

What Must Be Disclosed:

FORM 1 requirements are set forth fully on the form. In general, this includes the reporting person's sources and types of financial interests, such as the names of employers and addresses of real property holdings. NO DOLLAR VALUES ARE REQUIRED TO BE LISTED. In addition, the form requires the disclosure of certain relationships with, and ownership interests in, specified types of businesses such as banks, savings and loans, insurance companies, and utility companies.